

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CMPC USA, INC. <i>Plaintiff,</i> v. GWSI, INC., M. GERACE ENTERPRISES, INC., KEVIN BURKE in his individual capacity, and MICHAEL GERACE in his individual capacity <i>Defendants.</i>	CIVIL ACTION NO. 24-2087
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ORDER RE DEFENDANTS' MOTION TO DISMISS

AND NOW, this 1st day of November 2024, upon consideration of GWSI, Inc., M. Gerace Enterprises, Inc., Kevin Burke, and Michael Gerace's ("Defendants") Motion to Dismiss Counts III, IV, and V of CMPC USA, Inc.'s Amended Complaint (ECF 44), CMPC USA, Inc.'s response thereto (ECF 47), and Defendants' reply (ECF 50), for the reasons stated in the foregoing memorandum, it is hereby **ORDERED** that Defendants' Motion is **DENIED**.

Defendants GWSI, Inc., M. Gerace Enterprises, Inc., Kevin Burke, and Michael Gerace shall Answer the Amended Complaint (ECF 40) and assert any compulsory counterclaims within fourteen (14) days of this Order, as provided for by Rule 12(a)(4)(A) of the Federal Rules of Civil Procedure. No extensions of time will be granted.

BY THE COURT:

/s/ Michael M. Baylson
MICHAEL M. BAYLSON, U.S.D.J.